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MAR 30 1998

Before the  
Federal Communications Commission  
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of )

Revision of the Commission's Rules to Ensure )  
Compatibility with Enhanced 911 Emergency )  
Calling Systems )

CC Docket No. 94-102

To: The Commission

**REPLY COMMENTS OF TRUEPOSITION, INC.**

TruePosition, Inc. ("TruePosition") hereby submits its reply comments in the above-captioned proceeding. In its comments, TruePosition supported several of the proposals in Cellular Telecommunications Industry Association's ("CTIA") Petition for Reconsideration and Clarification ("Petition") to enhance E911 implementation. Yet TruePosition could not support CTIA's request to "clarify" E911 Phase II automatic location identification ("ALI") rules. As TruePosition demonstrated, if the Commission were to create special rules to accommodate ALI handset-based technologies it would delay the deployment and availability of ALI to at least 50 million and as many as 100 million CMRS users.<sup>1</sup> Similarly, while several commenters supported certain of CTIA's proposals, the record reflects a widespread consensus that the Commission must not delay or modify implementation of ALI under any circumstances.

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<sup>1</sup> TruePosition Comments at 7.

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With respect to handset-based technologies, only one commenter supported CTIA's request to clarify Phase II ALI requirements.<sup>2</sup> Given the paucity of comments filed by any other relevant industry participants – including vendors or other carriers – it is clear that the CMRS industry as a whole does not support separate ALI rules for handset-based technologies.

More importantly, NENA, APCO & NASNA (collectively "NENA") – which represent the PSAPs, 9-1-1 emergency response dispatchers, ambulance and medical personnel – oppose any effort to adopt special rules to placate GPS-based ALI technologies. NENA unequivocally opposed any rule modifications that would (i) modify or compromise the ALI accuracy requirements; (ii) differentiate among pre-existing or newly introduced CMRS handsets; (iii) deprive CMRS users of ALI capabilities when roaming in markets that utilize different ALI technologies than their home market; or (iv) delay the implementation of ALI. Accordingly, if the Commission were to adopt particularized rules to accommodate handset-based technologies, it would be ignoring this industry segment that will utilize ALI to respond to millions of CMRS 9-1-1 calls.

Moreover, the one company that supported CTIA's handset proposal gave no credible reason for doing so. Specifically, Bell Atlantic Mobile ("Bell Atlantic") suggested that handset-based ALI technologies could better accommodate

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<sup>2</sup> Bell Atlantic Mobile Comments at 4.

system-based "technical obstacles," namely locating 9-1-1 calls made from offshore or coastal areas. Such an obstacle, however, would more appropriately be resolved through the Commission's waiver processes. As stated in its *Memorandum Opinion & Order*, the Commission will consider granting waivers to covered carriers who, despite their good faith efforts, cannot fully satisfy the Phase II ALI requirements.<sup>3</sup>

Accordingly, if after three years locating offshore CMRS phones still presents a "technical obstacle" for network-based ALI solutions, carriers may seek an appropriate waiver. While at least some network-based solutions currently satisfy the Commission's ALI rules, handset-based technologies do not. Thus, it would be arbitrary and capricious for the Commission now to create special rules to address a single technical incompatibility that handset-based technologies may never be able to resolve, particularly at the risk of depriving between 50 million and 100 million land-based CMRS users the intended benefits of ALI.

In short, the record in this proceeding, after virtually two full rounds of reconsideration of the Commission's initial *Report and Order*, is void of any facts or data that would warrant an inquiry into a select set of rules for handset-based technologies. Such an inquiry would both contravene the Commission's technology-neutral approach to ALI solutions and prematurely commit Commission and industry

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<sup>3</sup> See *Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, *Memorandum Opinion & Order* at ¶ 122 (December 23, 1997) ("*Memorandum Opinion & Order*").

proach to ALI solutions and prematurely commit Commission and industry resources to assessments of proposed handset-based technologies before there is any certainty that they can be timely and fully developed, standardized, and commercialized. Indeed, the industry's deafening silence in the wake of CTIA's Petition confirms that it would be premature for the Commission to embark on an examination of special rules for handset-based ALI technologies that are not fully developed.

Respectfully submitted,

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March 30, 1998

## **CERTIFICATE OF SERVICE**

I, Julie Tran, hereby certify that on this 30th day of March, 1998, true and correct copies of the foregoing "Reply Comments of TruePosition, Inc." in CC Docket No. 94-102 were served by hand delivery\* or by First Class mail, postage prepaid, on the following parties:

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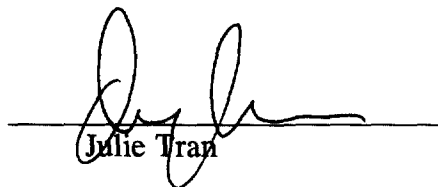
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